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7 Attorney for Plaintiff: Jerry Maurer

8 **UNITED STATES BANKRUPTCY COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 IN RE: Grant Michael Peuse) Chapter 7 Bankruptcy
11 Shanna Louise Peuse)
12 Debtors) Case No: 09-53064 SLJ
13) Judge: Hon. Stephen L. Johnson
14)
15) Adversary No.: 12-05114

16 Jerry Maurer

17 Plaintiff

18 vs.

19 Grant Michael Peuse

20 Shanna Louise Peuse

21 Defendants

22 **STIPULATION TO NON-DISCHARGEABLE JUDGMENT**

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24 Plaintiff, Jerry Maurer, as represented by attorney Michael Schad and Defendants, Grant Michael
25 Peuse and Shanna Louise Peuse, as represented by attorney Michael K. Mehr stipulate as
26 follows:

[Summary of pleading] - 1

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I. RECITALS

1. Debtors filed a Chapter 13 Bankruptcy Petition on April 24, 2009.
2. Debtors converted their filing to Chapter 7 Bankruptcy on March 13, 2012.
3. Plaintiff was joined as a Creditor on March 27, 2012.
4. Plaintiff filed this Adversary on June 8, 2012 to determine the dischargeability of the debt or claim as related to Plaintiff.
5. This Stipulation resolves the Adversary Proceeding.

II. STIPULATIONS

6. The parties Stipulate to a non-dischargeable Judgment in favor of Plaintiff for \$150,000.00.
7. Debtors are to pay Plaintiff at the following address: Jerry Maurer
62 Pasatiempo Dr.
Santa Cruz, CA. 95060

as follows: A. \$3,000.00 per month for the first 6 months, starting August 2012.

B. \$5,000.00 per month for the next 6 months, starting February 2013.

C. \$8,500.00 per month for the last 12 months, starting August 2013.

8. Commencing on August 8, 2012 payments to Plaintiff shall be received no later than the 8th of every month.

9. If Plaintiff does not receive timely payments on or before the prescribed monthly payment date, a written notice to cure the failure within ten (10) days from the date of the notice will be issued. Debtors will receive written notice, by first class mail, to the following address:

Grant & Shanna Peuse

17 Carriage Ln.

Scotts Valley, CA. 95066

A copy will be sent by e-mail to Debtors' attorney of record, Michael K. Mehr, at:
MMehr51@gmail.com.

1 It shall be the responsibility of Debtors to send timely address change notice to Plaintiff's
2 attorney, Michael Schad, at his address of record or by e-mail at: schadlaw@michaelschad.com.

3 10. Debtors' failure to cure any default within the 10 day notice period shall result in Plaintiff's
4 immediate enforcement of the Judgment on the unpaid balance of the stipulated agreement, in
5 full, as well as attorney fees and costs required to enforce the Judgment.

6 11. Other than in the case of default, the parties agree to bear their own costs and fees.

7 12. For the consideration paid of \$150,000.00, this is a full and final release applying to all
8 claims, losses, and/or damages arising out of the Parties' involvement with the 1970 Dodge
9 Challenger and/or any claims, whether or not now known or disclosed, and each Party waives
10 and releases all rights or benefits which he or she now has or in the future may have under the
11 terms of Section 1542 of the Civil Code of the State of California, which section provides:

12 A general release does not extend to claims which the creditor does
13 not know or suspect to exist in his favor at the time of the executing
14 the release, which if known by him must have materially affected his
15 settlement with the debtor.

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17 IN WITNESS THEREOF, the undersigned parties hereby execute this Stipulation.
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20 Dated: 07/17/12

/s/ Grant Michael Peuse

21 Grant Michael Peuse
22 Debtor/Defendant

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25 Dated: 07/17/12

/s/ Shanna Louise Peuse

26 Shanna Louise Peuse
Debtor/Defendant

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3 Dated: 07/17/12

/s/ Michael K. Mehr

4 Michael K. Mehr
5 Attorney for Debtors/Defendants
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8 Dated: 07/14/12

/s/ Jerry Maurer

9 Jerry Maurer
10 Plaintiff
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12 Dated: 07/19/12

/s/ Michael Schad

13 Michael Schad
14 Attorney for Plaintiff
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